

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

EPLUS, INC.,

Plaintiff,

v.

PERFECT COMMERCE, INC.,
SCIQUEST, INC., LAWSON
SOFTWARE, INC., and VERIAN
TECHNOLOGIES, INC.,

Defendants.

Civil Action No. 2:09-CV-232-HCM-TEM

**MOTION OF DEFENDANTS PERFECT COMMERCE, LLC, SCIQUEST, INC.,
AND LAWSON SOFTWARE, INC. TO TRANSFER PROCEEDINGS
OR IN THE ALTERNATIVE TO ADOPT PRIOR MARKMAN RULING**

Defendants Perfect Commerce, LLC, SciQuest, Inc. and Lawson Software, Inc. (collectively, the “Moving Defendants”), by and through their counsel of record, hereby move this Court to transfer these litigation proceedings brought by Plaintiff, ePlus, Inc., to the Honorable James R. Spencer in the Richmond Division of this Court, or in the alternative, to adopt Judge Spencer’s prior *Markman* rulings on the patents-in-suit.

This Motion is based upon the accompanying papers that the Moving Defendants filed and lodged in support of the Motion and upon such additional evidence and arguments as may be presented prior to or at any hearing on the Motion. This Motion is accompanied by a Memorandum of Points and Authorities and the Declaration of Rita E. Tautkus.

Dated: July 31, 2009

Respectfully submitted,

/s/ Stephen E. Noona

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CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2009, I will file electronically the foregoing Motion of Defendants Perfect Commerce, LLC, SciQuest, Inc., and Lawson Software, Inc. to Transfer Proceedings or in the Alternative to Adopt Prior *Markman* Ruling with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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On this date, I am also hand-delivering a copy of the foregoing on:

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